

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

HELEN A. RUNGE,

Plaintiff

v.

WALTER J. KELLY, et al.,

Defendants

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No. 05-10849-RGS

(Judge Stearns)

CIVIL ACTION

JURY TRIAL DEMANDED

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1

Pursuant to Local Rule 16.1(d), the parties hereby submit the following joint statement.

Plaintiff and Defendants propose different discovery schedules.

1. Plaintiff's Proposed Schedule for Discovery and Filing of Motions

Task	Date
Request leave to join additional parties or amend the pleadings	May 30, 2006
Close of fact discovery (including written discovery and depositions of fact witnesses)	October 30, 2006
Initial expert reports pursuant to Fed. R. Civ. P. 26(a)(2)	November 30, 2006
Rebuttal expert reports	December 15, 2006
All expert discovery completed including depositions	January 15, 2007
Filing of dispositive motions	February 15, 2007
Supplementation of discovery under Fed. R. Civ. P. 26(e) during discovery	Within thirty days of receipt of information
Supplementation of discovery under Fed. R. Civ. P. 26(e) after discovery	To be made promptly, but in no event less than sixty days before trial
Trial	March 15, 2007

The time frame set forth in Plaintiff's proposal takes into account not only the complexity of the case but also the fact that Plaintiff is 91 years of age. The trial schedule should reflect these factors.

1a. Defendants Walter J. Kelly, Kerry Bloomingdale, M.D., and Sunbridge Nursing and Rehabilitation Center's Proposed Schedule for Discovery and Filing of Motions

Task	Date
Request leave to join additional parties or amend the pleadings	10/16/06
Close of fact discovery (including written discovery and depositions of fact witnesses)	1/31/07
Plaintiffs' expert reports pursuant to Fed. R. Civ. P. 26(a)(2)	2/28/07
Defendant's expert reports	3/30/07
All expert discovery completed including depositions	4/23/07
Filing of dispositive motions	5/22/07
Supplementation of discovery under Fed. R. Civ. P. 26(e) during discovery	Within thirty days of receipt of information
Supplementation of discovery under Fed. R. Civ. P. 26(e) after discovery	To be made promptly, but in no event less than sixty days before trial

2. Local Rule 16.1(d)(3) Certifications

Each party and its counsel certify that they have conferred: (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and (b) to consider the resolution of the litigation through the

use of alternative dispute resolution programs such as those outlined in LR 16.4. The parties' certifications are attached as exhibits to this document.

Respectfully submitted,

Plaintiff, Helen A. Runge,
By her attorneys,

/s/ Glenn R. Davis
Glenn R. Davis, *Pro Hac Vice*
LATSHA DAVIS YOHE & MCKENNA, P.C.
1700 Bent Creek Boulevard, Suite 140
Mechanicsburg, PA 17050
(717) 620-2424
gdavis@ldylaw.com

Respectfully submitted,

Defendant, Kerry Bloomingdale, M.D.
By his attorneys,

/s/ James Hamrock, Jr.
James Hamrock, Jr., BBO #219400
HAMROCK & TOCCI
101 Main Street, 18th Floor
Cambridge, MA 02142
(617) 496-5370
jhamrock@htclaw.com

Respectfully submitted,

Defendant, Walter J. Kelly,
By his attorneys,

/s/ Michelle Carlucci
George C. Rockas, BBO #544009
Michele Carlucci, BBO #655211
WILSON ELSER MOSKOWITZ
EDELMAN & DICKER LLP
155 Federal Street
Boston, MA 02110
(617) 422-5300
michele.carlucci@wilsonelser.com

Respectfully submitted,

Defendant, Mediplex of
Massachusetts, Inc. d/b/a SunBridge
Care and Rehabilitation for
Randolph
By its attorneys,

/s/ Michael Williams
K. Scott Griggs, BBO #555988
Michael Williams, BBO #634062
Marissa A. Goldberg, BBO# 654506
LAWSON & WEITZEN, LLP
88 Black Falcon Avenue, Suite 345
Boston, MA 02210-1736
(617) 439-4990
mwilliams@lawson-weitzen.com

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

HELEN A. RUNGE,

Plaintiff

v.

WALTER J. KELLY, et al.,

Defendants

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No. 05-10849-RGS

(Judge Stearns)

CIVIL ACTION

JURY TRIAL DEMANDED

CERTIFICATION UNDER LOCAL RULE 16.1(d)(3)

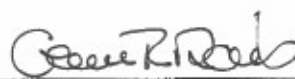
The undersigned counsel as well as Plaintiff hereby affirm that they have conferred (a) with a view of establishing a budget for costs of conducting a full course and various alternative courses of litigation and (b) have considered the resolution of this litigation through the use of alternative dispute resolution programs such as those set forth in Local Rule 16.4(c).

Respectfully submitted,

LATSHA DAVIS YOHE & MCKENNA, P.C.

Dated: MARCH 21, 2006

By



Glenn R. Davis

1700 Bent Creek Boulevard, Suite 140

Mechanicsburg, PA 17050

(717) 620-2424

gdavis@ldylaw.com

Pro Hac Vice

Attorneys for Plaintiff, Helen A. Runge

Dated: MARCH 20, 2006



Helen A. Runge, Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

EASTERN DIVISION

No. 05-10849RGS

HELEN RUNGE, Plaintiff v. WALTER J. KELLY, KERRY L. BLOOMINGDALE, M.D., and SUNBRIDGE NURSING AND REHABILITATION CENTER, Defendants
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**WALTER J. KELLY'S CERTIFICATION PURSUANT TO LOCAL
RULE 16.1(D)(3)**

Counsel for the Defendant, Walter J. Kelly, and a representative of Defendant's insurer, certify that they have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

March 21, 2006
Dated: ~~February~~, 2006

Respectfully submitted,

WALTER J. KELLY,
By his attorneys,

Michele Carlucci *3/21/06*
George Rockas, BBO#544009
Michele Carlucci, BBO#655211
WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP
155 Federal Street
Boston, MA 02110
617-422-5300

Robert Feldman
Robert Feldman
Senior Claims Examiner
United National Group *2-23-06*

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HELEN RUNGE

Plaintiff,

v.

WALTER J. KELLEY; KERRY L.
BLOOMINGDALE, M.D.; and
SUNBRIDGE NURSING AND
REHABILITATION CENTER.

Defendants.

Civil Action No. 05-10849-RGS

**LOCAL RULE 16.1(D)(3) CERTIFICATION of
MEDIPLEX OF MASSACHUSETTS, INC. d/b/a
SUNBRIDGE CARE AND REHABILITATION FOR RANDOLPH**

I, Brian Cooper, duly authorized agent for Mediplex of Massachusetts, Inc. d/b/a SunBridge Care and Rehabilitation for Randolph affirm that I have conferred with my counsel concerning the costs of conducting this litigation as well as the various alternative dispute resolution programs that may at some point assist in resolving this litigation.

Date: March 20, 2006

/s/ Brian Cooper

Brian Cooper, duly authorized agent of
Mediplex of Massachusetts, Inc. d/b/a
SunBridge Care and Rehabilitation for
Randolph

/s/ Michael Williams

K. Scott Griggs (BBO# 555988)
Michael Williams (BBO# 634062)
Marissa A. Goldberg (BBO #654506)
Lawson & Weitzen, LLP
88 Black Falcon Avenue, Suite 345
Boston, MA 02210-1736
Telephone: (617) 439-4990
Facsimile: (617) 439-3987
MWilliams@Lawson-Weitzen.com

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL DOCKET NO: 05-CV-10849 (RGS)

HELEN RUNGE

PLAINTIFF

VS.

KERRY L. BLOOMINGDALE, M.D.,
WALTER J. KELLY AND SUNBRIDGE
NURSING AND REHABILITATION CENTER

DEFENDANTS

DEFENDANT KERRY L. BLOOMINGDALE, M.D.'S CERTIFICATION
PURSUANT TO LOCAL RULE 16.1(D)(3)

Counsel for the Defendant Kerry Bloomingdale, M.D. and a representative of the
Defendant's medical malpractice insurer certify that they have conferred:

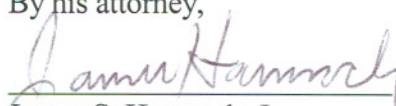
- a. With a view to establishing a budget for the costs of conducting the full course, and
various alternative courses, of litigation, and;
- b. To consider the resolution of the litigation through the use of alternative dispute
resolution programs such as those outlined in L.R. 16.4.

DATED: March 22, 2006

Respectfully Submitted,

For the Defendant,
Kerry Bloomingdale, M.D.
By his attorney,


Madeline Goff
Senior Claims Representative
Risk Management Foundation
of the Harvard Medical Institutions, Inc


James S. Hamrock, Jr.
BBO # 219400
Hamrock & Tocci
101 Main Street, 18th Floor
Cambridge, MA 02142
(617) 496-5370